



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/520,062	01/05/2005	Yoshiaki Fukuaga	2936-0235PUS1

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

DATE MAILED: July 10, 2007

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)
The declaration of express abandonment will not be recognized

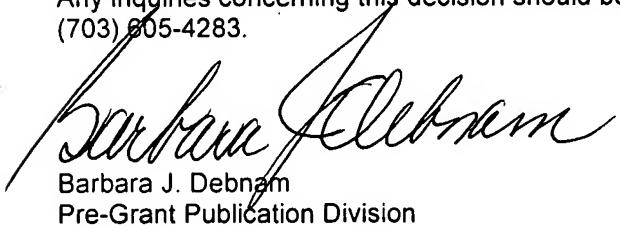
This is in response to the petition under 37 CFR 1.138(d) filed on June 27, 2007, requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will not be recognized for the reason(s) indicated below:

- The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
- The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
- The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
- The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Any inquiries concerning this decision should be directed to the Pre-Grant Publication Division at (703) 305-4283.


Barbara J. Debnam
Pre-Grant Publication Division